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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)	
)	
Michael B. McGraw et al.)	Art Unit: 3762
)	
Application No.: 09/556,389)	Examiner: S. Getzow
)	
Filed: April 24, 2000)	Atty. Dkt. No.: 000309.00011
)	MCG/DJE:
For: PORTABLE MUSCLE STIMULATOR)	
WITH PULSE WIDTH CONTROL)	Date: December 13, 2005
)	
)	Issue Fee Paid: August 15, 2005
)	

RESPONSE TO REQUEST FOR NEW 37 C.F.R. § 3.73 STATEMENT

Via facsimile to 571-273-0100

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Madam or Sir:

In response to a telephone communication between the U.S. Patent and Trademark Office and the firm prosecuting the above-captioned patent application, the Applicants, through undersigned counsel, respectfully submit that the correct Statement under 37 C.F.R. § 3.73 is already of record in the above-captioned patent application and that therefore, a new Statement is not needed.

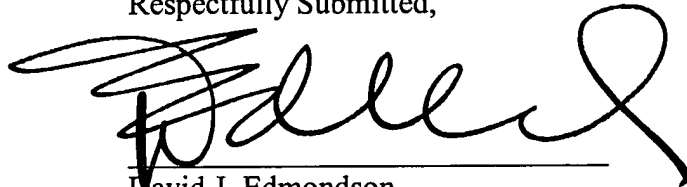
The originally filed Statement identifies the Patent Owner as the Assignee by virtue of an Assignment recorded at reel no. 7858, frame no. 0297. A copy of the USPTO assignment query result for that reel and frame number, identifying the first patent in the chain of continuation, is attached hereto as Exhibit A.

During the above-mentioned telephone communication, it was alleged that the correct reel and frame number are 9889/0872. The undersigned respectfully disagrees. A copy of the USPTO assignment query result for that reel and frame number is attached hereto as Exhibit B. As can be seen, the assignment details for that reel and frame number give both the wrong list of Assignors and the wrong Assignee for the above-captioned application. The undersigned can only conclude that the Assignment recorded at that reel and frame number was incorrectly associated with the present application or its parent, probably because a patent number was mistyped on that Assignment. In short, the Assignment recorded at that reel/frame number evidently bears no relationship to the present application.

For the reasons set forth above, the Applicants respectfully submit that the correct Statement under 37 C.F.R. § 3.73 is already of record and that nothing more is needed from the Applicants for issuance of a patent. Notification of such issuance is earnestly solicited.

If any outstanding issues remain, the Office is invited to telephone the undersigned at the telephone number set forth below.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'D. Edmondson', with a horizontal line underneath it.

David J. Edmondson
Reg. No. 35,126

Blank Rome LLP
Watergate 600, 11th Floor
600 New Hampshire Ave., N.W.
Washington, D.C. 20037-2485
Telephone 202-772-5838
Facsimile 202-572-1438



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Patent Assignment Details

**NOTE: Results display only for issued patents and published applications.
For pending or abandoned applications please consult USPTO staff.**

Reel/Frame: 007858/0297

Recorded: 12/12/1995

Pages: 2

Conveyance: ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS).

Total properties: 1

1 Patent #: 5755745 Issue Dt: 05/26/1998 Application #: 08536924 Filing Dt: 09/29/1995

Title: PORTABLE MUSCLE STIMULATOR WITH REMOVABLE DATA STORAGE CARD

Assignors

1 MCGRAW, MICHAEL B.

Exec Dt: 12/08/1995

2 RUX, WILLIAM A.

Exec Dt: 12/08/1995

Assignee

1 INTERNATIONAL REHABILITATIVE SCIENCES, INC.

P.O. BOX 4656

VANCOUVER, WASHINGTON 98660

Correspondence name and address

WIGMAN, COHEN, LEITNER & MYERS, P.C.

MICHAEL C. GREENBAUM

1735 JEFFERSON DAVIS HIGHWAY

SUITE 200, CRYSTAL SQUARE 3

ARLINGTON, VIRGINIA 22202

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Exhibit A



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Patent Assignment Details

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Reel/Frame: 009889/0872

Recorded: 04/12/1999

Pages: 4

Conveyance: ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS).

Total properties: 1

1 Patent #: RE36690 Issue Dt: 05/16/2000 Application #: 09290407 Filing Dt: 04/13/1999

Title: PORTABLE MUSCLE STIMULATOR WITH PULSE WIDTH CONTROL

Assignors

1 VOCE, DANIEL

Exec Dt: 03/19/1999

2 MOHEBBI, MATTHEW

Exec Dt: 04/06/1999

3 MEHROTRA, ASHA

Exec Dt: 03/19/1999

4 FRY, JOHN

Exec Dt: 04/12/1999

Assignee

1 HUGHES ELECTRONICS CORPORATION

P.O. BOX 956

200 N. SEPULVEDA BLVD.

EL SEGUNDO, CALIFORNIA 90245

Correspondence name and address

HUGHES ELECTRONICS CORPORATION

JOHN T. WHELAN

200 N. SPULVEDA BLVD.

BLDG 001, M/S A109, P.O. BOX 956

EL SEGUNDO, CA 90245-0956

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Exhibit B